

**FILED**

**JUN 14 2004**

**CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE SOEHNGEN,

Plaintiff,

No. CIV S-03-1446 DFL KJM PS

vs.

A.L. SUSINI, et al.,

Defendants.

ORDER

Plaintiff, proceeding pro se, filed the above-entitled action. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On May 3, 2004, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within ten days. Plaintiff has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed May 3, 2004, are adopted in full;

3 2. Plaintiff's amended motion for temporary restraining order filed April 16,  
4 2004, is denied; and

5 3. This action is dismissed under Federal Rule of Civil Procedure 4(m).

6 DATED: June 9, 2004.

7  
8 David F. Levi  
9 UNITED STATES DISTRICT JUDGE

10 soeh1446.804

United States District Court  
for the  
Eastern District of California  
June 14, 2004

\* \* CERTIFICATE OF SERVICE \* \*

2:03-cv-01446

Soehngen

v.

Susini

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on June 14, 2004, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

George Soehngen  
92 Carlisle Way  
Benecia, CA 94510

HV/DFL

CF/KJM

Jack L. Wagner, Clerk

BY:   
Deputy Clerk